

REMARKS

Examiner rejects Claims 1-3, 5, 7, and 8 under the doctrine of obviousness-type double patenting over the U.S. Patent No. 6,533,718 issued to Ritchie, et al. Applicant traverses the rejection.

Claim 1 of the Ritchie patent comprises, among other elements, a base having a first curved face and a second flat surface, with the second flat surface having a spin assisting component formed of a recess and a laterally displaced knob. The present invention does not claim or describe what could be construed as a base. The present invention does not teach a base, and it does not teach a laterally displaced knob and it does not teach a spin assisting component formed of a recess. The present invention teaches away from the Ritchie patent in that the elements that Ritchie relies on, are not congruous with the form or function of the present invention.

Claims 1 and 2 have been amended to describe the groove that runs the length of the head portion (Claim 2 as amended) or the groove runs the length of the head portion, along the length of the shaft, to the gripping portion (Claim 1 as amended). The Specification has also been amended to underscore the teachings that are present in the original drawings, such as the linearly configured groove, and the groove running the length of the head, from the tip, inwards. Any groove found in the Ritchie patent runs in a non-linear fashion, and hence, does not anticipate the

present application. The areas between the protrusions of the Ritchie patent are not linearly configured, and meander between the protrusions. Hence, the grooves of the Ritchie patent are not equivalent to the linearly configured groove of the present invention, and, in fact, teach away from the present, linearly configured groove. Applicant submits that no new matter is added.

The Examiner rejects Claims 1-3 and 5-7 under 35 U.S.C. 102(b) as being anticipated by Kain (5,609,603). Applicant traverses the rejection. Kain teaches a sexual aid having "an enlarged tip, or head 14...The actual design of end 12 may vary, but preferably it will closely conform to that part of the enlarged male anatomy as is usual in the case." (Col. 3, line 23-26). Kain does not teach a device having a groove that runs the length of the head from the tip, inwards. Neither does Kain teach a groove that runs the length of the shaft with the groove running from the tip of the head portion to the gripping portion.

Examiner rejects Claims 2-7 under U.S.C. 102(b) as being anticipated by Jacobs (5,853,362). Applicant traverses the rejection. Jacobs teaches a groove that is partially bisects the bulbous portion of the device. "As shown in Figs. 1 and 1B, proximal end 52j is at the end of embedding hook 53j and terminates in a rounded or bulbous portion 65j. Bulbous portion 675j is partially bisected by a groove 55j. Groove 55j extends 5 cm on top side 60j, and continues another 7 cm on a bottom side

61j." (Column 8, lines 5-9). Jacobs teaches a groove that traverses the tip of the device and lies on both sides of the device with one surface of the device having a longer groove than the other surface. The present application teaches a groove that originates at the tip of the device (See Applicant's Fig. 3) and does not traverse the tip of the device.

Examiner rejects Claim 8 under 35 U.S.C. 103(a) as being unpatentable over Kain as applied to Claim 2, and further in view of Ritchie et al (6,132,366). Applicant traverses the rejection. Applicant contends that the differences of Kain and the present invention (a groove running the length of the shaft as opposed to a grooves encircling the shaft See Figures 1,3,4, numbers 17 and 18)) are addressed fully above. Applicant submits that the teachings of Kain do not, in this case, apply, and hence should not be combined with Ritchie to form the basis for rejection.

Lastly, Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobs as applied to Claim 2 above, and further in view of Ritchie et al. As suggested above, Jacobs differs from the present application in that Jacobs teaches a groove that traverses the tip of the device, while the present application has no such teaching. Applicant submits that the teachings of Jacobs do not, in this case, apply, and hence should not be combined with Ritchie to form the basis for rejection.



FIG 1

